

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**BILLIARDS & BREWS, LLC**

**Plaintiff,**

**vs.**

**CITY OF KNOXVILLE, TENNESSEE  
and THE KNOXVILLE CITY COUNCIL,**

**Defendants.**

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**Docket No. \_\_\_\_\_**

**NOTICE OF REMOVAL**

Come the defendants, the City of Knoxville, Tennessee, and the Knoxville City Council (“Defendants”), by counsel and pursuant to 28 U.S.C. § 1441(a) and § 1446, and remove this action from the Knox County Chancery Court to this Honorable Court. In support of this Notice of Removal, Defendants state as follows:

1. On March 29, 2021, the plaintiff, Billiards & Brews, LLC (“Plaintiff”), filed this action against Defendants in the Chancery Court for Knox County, Tennessee (the “State Court”). Among its claims for relief, Plaintiff asserts a claim arising under the Equal Protection Clause of the United States Constitution.

2. Defendants received a copy of the Summons and Complaint on March 29, 2021. True and exact copies of the Summons, Complaint, and all other process, pleadings, and orders filed in the State Court are attached hereto as Exhibit 1.

3. This Court has original federal question jurisdiction of this civil action pursuant to 28 U.S.C. § 1331 because the Complaint asserts a claim arising under the Constitution, laws, or treaties of the United States.

4. Because this Court has original jurisdiction of this action pursuant to 28 U.S.C. § 1331, removal of the action is proper pursuant to 28 U.S.C. § 1441(a). Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over all other claims raised in the Complaint.

5. This Notice of Removal is timely filed in accordance with U.S.C. § 1446(b), as it is filed with this Court within thirty days after receipt by Defendants of the Summons and Complaint.

6. Pursuant to 28 U.S.C. § 1441(a), the United States District Court for the Eastern District of Tennessee, Knoxville Division, is the federal district court for the district and division embracing the place where the State Court lawsuit is pending.

7. Pursuant to 28 U.S.C. § 1446(d), all adverse parties are being provided with written notice of the filing of this Notice of Removal.

8. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being filed this day with the Clerk of the Chancery Court for Knox County, Tennessee.

WHEREFORE, the Defendants hereby remove the above-captioned case from the Knox County Chancery Court to this Honorable Court.

Dated this 1<sup>st</sup> day of April, 2021.

/s/ Michael S. Kelley  
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Attorneys for Knoxville City Council

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Removal has been served upon the following by United States Mail, first class, postage prepaid this 1<sup>st</sup> day of April, 2021:

Russ Egli  
The Wisdom Building  
11109 Lake Ridge Drive, FL3  
Concord, TN 37834

Brett Stokes  
550 W. Main Street, Suite 950  
Knoxville, TN 37902

/s/ Michael S. Kelley